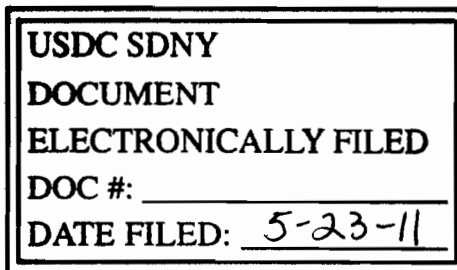


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May 18, 2011

VIA FACSIMILE

Hon. P. Kevin Castel
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007
Fax: 212-805-7949

MEMO ENDORSED

Re: Cruz v. TD Bank, N.A.; Case No.: 10-cv-08026

Dear Judge Castel:

In this case, we represent the Defendant, TD Bank, N.A. On April 11, 2011, we filed a Motion to Dismiss Plaintiff's Amended Complaint. By letter dated May 6, 2011, Plaintiff requested an extension of time to submit their opposition papers on Friday May 13, 2011, which was granted. In their letter, Plaintiff graciously offered an extension of time to Defendants equal to that which they requested of the court, extending our time to respond to June 1, 2011.

Defendant now asks for an extension of time, until June 3, 2011, to submit our reply papers in further support of the motion.

We have consulted with Plaintiff's counsel, and he does not object to this request. This extension will not affect any other scheduled date in the case.

We thank the Court for its attention to this matter. Should the Court require anything further, please do not hesitate to contact the undersigned.

Very truly yours,

Justin Joseph D'Elia

cc: Daniel F. Schreck, Esq., VIA FACSIMILE

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